

Frequently Asked Questions For Tenant Based Rental Assistance Programs

The questions below are questions that are frequently asked about tenant based rental assistance (TBRA) programs. The answers reference such sources as:

- The Lead Safe Housing Rule (LSHR) found at 24 CFR Part 35
- The Interpretive Guidance dated April 16, 2001 (This document can be found on HUD's web page for the Office of Healthy Homes and Lead Hazard Control at <http://www.hud.gov/offices/lead>.)

1. If a pregnant woman applies for TBRA, is her unit affected?

If the woman declares that a child is expected to live in the unit, the LSHR is triggered. *See the Interpretive Guidance, Question #M1.*

2. Consider these facts. A family receives TBRA. This family has a child with an environmental intervention blood lead level. The LSHR states that the unit must go undergo a risk assessment and lead hazard reduction, but the family decides to move out before this work can be done. Do we still need to perform the risk assessment and lead hazard reduction in this unit?

If the unit will be occupied by a family receiving TBRA, the answer is yes. Even if the new family has no children under age six, the work must be performed.

If the unit will no longer be occupied by a family receiving assistance, then the work is not required.

See the Interpretive Guidance, Question #M3.

3. Subpart K provides an exemption emergency assistance lasting less than 100 days. It mentions TBRA as a form of emergency assistance. However, TBRA is covered by Subpart M. I'm confused. Why is an activity covered by Subpart M be exempt from Subpart K?

Short-term emergency rental assistance is covered by Subpart K. Long-term rental assistance is covered by Subpart M. *See the Interpretive Guidance, Question #M4 on short term and long-term assistance. Also see Question #K7 on emergency rental assistance.*

4. Under HOME, is security deposit assistance covered by Subpart K or M?

HOME defines security deposit assistance as TBRA. Therefore it is covered under Subpart M. However, security deposit assistance provided under another program can be considered emergency rental assistance, defined as exempt under Subpart K. *See the Interpretive Guidance, Question #M5 on HOME security deposits.*

- 5. In some States, the public health department cannot provide the addresses of children with environmental blood lead levels because of privacy concerns. How can the grantee comply with the LSHR requirement to match addresses of poisoned children with assisted children?**

If the health department cannot provide addresses to the grantee, the grantee should provide addresses of TBRA recipients to the health department. *See the Interpretive Guidance, Question #M6 on confidential medical information.*